

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

STEVEN TYLER FISH,)	
Plaintiff,)	
)	
v.)	No. 2:24-cv-02523-SHL-cgc
)	
SHAVONYA PATRICK, et al.,)	
Defendants.)	

ORDER DISMISSING DEFENDANT TNTX, LLC WITHOUT PREJUDICE

The parties filed a joint stipulation of dismissal without prejudice as to Defendant TNTX, LLC under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 40.) But in multi-defendant matters, “Rule 21 provides the appropriate basis for dismissal of a single defendant,” not Rule 41. Henderson-Thompson v. Jardoin, No. 2:22-cv-2013-MSN-cgc, 2022 WL 349896, at *2 (W.D. Tenn. Feb. 4, 2022) (citing Philip Carey Mfg. Co. v. Taylor, 286 F.2d 782, 785 (6th Cir. 1961)); see also Wilkerson v. Brakebill, No. 3:15-CV-435-TAV-CCS, 2017 WL 401212, at *2 (E.D. Tenn. Jan. 30, 2017) (collecting district court cases from within the Sixth Circuit recognizing that Rule 21, rather than Rule 41, is applicable when dismissing a single claim or defendant instead of an entire lawsuit). The Court will therefore construe the joint stipulation under Rule 41 as a joint motion under Rule 21. See Henderson-Thompson, 2022 WL 349896, at *2.

Rule 21 permits a court to drop a party at any time on motion or on its own. Fed. R. Civ. P. 21. Dropping parties under Rule 21 functions as a dismissal of the party. See Henderson-Thompson, 2022 WL 349896, at *2. Thus, all claims against Defendant TNTX, LLC are

DISMISSED WITHOUT PREJUDICE under Rule 21. This dismissal does not apply to Fish's claims against Defendants Shavonya Patrick and West TN Expediting, Inc.

IT IS SO ORDERED, this 23rd day of June, 2025.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE